



OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

November 17, 2008

TO: Michael J. Knapp, President, County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: FY09 -14 Smart Growth Initiative Program

At the September 23, 2008 Council Briefing, Executive Branch staff provided an update on the status of my recommended Smart Growth Initiative (Initiative). Today I am transmitting supplemental appropriation recommendations and amendments for ten projects in the FY09-14 Capital Improvements Program (CIP) in order to fund further planning activities, and to implement the design phases for this Initiative. Funding and appropriation for these activities will be provided from existing projects, revenue bonds, and interim financing. The revenues from land sales, avoided lease payments, lease consolidations and revenues from the development of County lands will off-set the overall expenses of several projects.

While we have been facing economic challenges in the County, the state of the economy also affords us some opportunities. We are at a point where several of our facilities have far exceeded their useful lives and rather than invest millions into aging structures, it makes better sense to look at whether the land where the facility is located can better serve the regional, long range needs of the County. Property values have stopped their spiraling escalation and we are able to acquire properties at flatter values and hold onto our land to dispose of it at a time when the market has rebounded. We are at a point in time with opportunities that will not present themselves again in our lifetimes, and well beyond. And, we can position ourselves to optimize our ability to provide the framework within which to create and grow a workforce for the future, meet our immediate and future facility needs, at reasonable expense with the ability to offset the expenses, and provide affordable housing at transit-oriented development sites.

The facilities proposed for relocation, as described in the attached project description forms, are: the Public Safety Training Academy (PSTA); the Montgomery County Police and Fire and Rescue Headquarters; Office of Emergency Management and Homeland Security; 1st District Police Station; Department of Liquor Control (DLC) Liquor Warehouse;

Michael J. Knapp
November 17, 2008
Page 2

Equipment and Maintenance Operations Center (EMOC); the Radio Shop; Montgomery County Public Schools (MCPS) Food Distribution warehouse; MCPS Bus Depot; and the Maryland-National Capital Park and Planning Commission's maintenance facility.

The recommended amendments are consistent with the criteria for amending the CIP because the Initiative provides the opportunity to achieve significant savings or cost avoidance, and supports significant economic development, which will strengthen the fiscal capacity of the County government.

I am also pleased to provide you with a copy of a Letter of Intent that we recently signed to provide for the creation of a master site plan for the County Service Park in order to maximize the value that we will receive from it. Along with the Letter of Intent, I am providing you with a copy of an Executive Order that I signed authorizing, subject to appropriation of course, the acquisition of the property known as Casey 6 and 7 at the fair market value agreed to between the parties. Our agreement on the purchase of Casey 6 and 7 is a major first step to implementing the Sector Plan's recommendations for the redevelopment of the County Service Park. With this agreement we can now relocate the EMOC which will, in turn, open up a key parcel at the County Service Park for transit oriented development in accordance with the Sector Plan.

In addition to the PDFs, the Executive Order and the Letter of Intent, I am transmitting a bond resolution to authorize issuance of Liquor Revenue bonds for the acquisition of the site for the DLC Liquor Warehouse. We are making progress in our negotiations with the owner of the site for the Liquor Warehouse and hope to be in a position to issue bonds to acquire the warehouse.

I urge the County Council to approve these supplemental appropriations and amendments to the FY09-14 Capital Improvements Program.

I appreciate your prompt consideration of this action.

IL: aaa

Michael J. Knapp
November 17, 2008
Page 3

Attachments: Amendment to the FY09-14 Capital Improvements Program and Supplemental Appropriation #17-S09-CMCG-5 to the FY09 Capital Budget
Amendment to the FY09-14 Capital Improvements Program #22-A09-CMCG-5
Letter of Intent – Smart Growth Initiative
Executive Order for the acquisition of the Casey 6 and 7 properties
Bond resolution to authorize issuance of Liquor Revenue bonds for the site acquisition for the DLC Liquor Warehouse
Smart Growth Initiative Financing Summary

c: Joseph F. Beach, Director, Office of Management and Budget
Jennifer Barrett, Director, Department of Finance
Thomas Manger, Chief, Department of Police
Richard Bowers, Interim Chief, Montgomery County Fire and Rescue Service
David Dise, Director, Department of General Services
Chris Voss, Director, Office of Emergency Management and Homeland Security
Arthur Holmes, Director, Department of Transportation
George Griffin, Director, Department of Liquor Control
Jerry Weast, Montgomery County Public Schools
Royce Hanson, Maryland-National Capital Park and Planning Commission
Diane Jones, Assistant Chief Administrative Officer
Kathleen Boucher, Assistant Chief Administrative Officer

Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY09-14 Capital Improvements Program (CIP) and Supplemental Appropriation #17-S09-CMCG-5 to the FY09 Capital Budget
Montgomery County Government
Department of General Services: Smart Growth Initiative – Facility Planning
(No. 360902) - \$681,000
Department of General Services: MCPS Food Distribution Facility
(No. 360900) – \$892,000
Department of Police and Montgomery County Fire and Rescue Service: Public Safety Training Campus (No. 470905) - \$6,239,000; and Public Safety Headquarters (No. 470906) - \$1,674,000
Department of Transportation: Equipment Maintenance and Operations Center (EMOC) (No. 500933) - \$37,081,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.

Amendment to the FY09-14 Capital Improvements Program (CIP) and Supplemental
Appropriation #17-S09-CMCG-5 to the FY09 Capital Budget
Page Two

3. The County Executive recommends the following capital project appropriation increases:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Smart Growth Initiative - Facility Planning	360902	Planning, Design Supervision	\$ 681,000	GO Bonds
Public Safety Training Campus	470905	Planning, Design Supervision	\$ 6,239,000	GO Bonds
Public Safety Headquarters	470906	Planning, Design Supervision	\$ 1,674,000	GO Bonds
MCPS Food Distribution Facility	360900	Planning, Design Supervision	\$ 892,000	GO Bonds
Equipment Maintenance And Operations Center (EMOC)	500933	Planning, Design Supervision Land	\$ 7,081,000 \$30,000,000	GO Bonds Interim Financing
Total			<hr/> \$46,567,000	

4. The supplemental appropriation is needed to provide for the start of facility planning and land acquisition for various projects included as part of the County's Smart Growth Initiative which was developed in response to the critical, immediate, and future facility needs in various County departments. In order to implement the County's Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize the transit oriented development intended for the area. The County is also faced with aging facilities that require extensive investment of funds to meet our needs. With the age of some of the facilities, the extent of the required investment must be weighed against the long-term ability of the facilities to satisfy current and future County needs.

This supplemental appropriation request will fund facility planning for a Montgomery County Public Schools Bus Depot; a Montgomery County Radio Shop; and a Maryland-National Capital Park and Planning Commission Maintenance facility; the planning design and land acquisition of an Equipment Maintenance and Operations Center (EMOC)

(No.500933); the planning, and design of a Public Safety Training Campus (No. 470905); a Public Safety Headquarters (No.470906), and a Montgomery County Public Schools Food Distribution Facility (No.360900). Authorization for the planning and design and land acquisition for the Department of Liquor Control Liquor Warehouse (No.850900), which is part of the Initiative, is included in a separate resolution.

5. The recommended amendment is consistent with the criteria for amending the CIP because the Initiative provides the opportunity to achieve significant savings or cost avoidance, and supports significant economic development, which will strengthen the fiscal capacity of the County government.
6. The County Executive recommends an amendment to the FY09-14 Capital Improvements Program and a supplemental appropriation in the amount of \$46,567,000 and specifies the source of funds as G.O. Bonds and Interim Financing.
7. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description forms and a supplemental appropriation is approved as follows:

<u>Project Name</u>	<u>Project Number</u>	<u>Cost Element</u>	<u>Amount</u>	<u>Source of Funds</u>
Smart Growth Initiative - Facility Planning	360902	Planning, Design Supervision	\$ 681,000	GO Bonds
Public Safety Training Campus	470905	Planning, Design Supervision	\$ 6,239,000	GO Bonds
Public Safety Headquarters	470906	Planning, Design Supervision	\$ 1,674,000	GO Bonds
MCPS Food Distribution Facility	360900	Planning, Design Supervision	\$ 892,000	GO Bonds

Amendment to the FY09-14 Capital Improvements Program (CIP) and Supplemental
Appropriation #17-S09-CMCG-5 to the FY09 Capital Budget
Page Four

Equipment	500933	Planning, Design	\$ 7,081,000	GO Bonds
Maintenance		Supervision		
And Operations Center		Land	\$30,000,000	Interim
(EMOC)				Financing
		Total	<u>\$46,567,000</u>	

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

CIP**SUPPLEMENTAL OR SPECIAL APPROPRIATION REQUEST SUMMARY****1. Please fill in the following table:**

Agency	Various
Department	Various
Fund (County Government only)	CIP
Fiscal year	FY09
Supplemental or Special	Supplemental

2. What is the amount and source of funding?

Source of funding (Please list sources)	Amount
G.O. Bonds	\$16,567,000
Interim Financing	\$30,000,000
Total request	\$46,567,000

3. Please explain why you did not request this during the annual budget process.

The Smart Growth Initiative program was not ready for inclusion in the Capital Improvement Program at the start of the budget process as planning was still in process.

Smart Growth Initiative - Facility Planning -- No. 360902

Category
Subcategory
Administering Agency
Planning Area

General Government
County Offices and Other Improvements
General Services
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 05, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	681	0	0	681	681	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	681	0	0	681	681	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	681	0	0	681	681	0	0	0	0	0	0
Total	681	0	0	681	681	0	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative program and provides planning for relocation of the following facilities from County Service Park on Crabbs Branch Way; Montgomery County Public School (MCPS) Bus Depot; Maryland National Park and Planning Commission (M-NCPPC) Maintenance facility; and the Montgomery County Radio Shop.

The facilities included in this project are planned for relocation as follows: MCPS Bus Depot to the Gude Landfill site; the Montgomery County Radio Shop to Seven Locks Road; and the M-NCPPC Maintenance facility to a site to be determined.

Planning for additional projects which form part of the comprehensive Smart Growth Initiative are included in the following project description forms:

470905 - Public Safety Training Campus

470906 - Public Safety Headquarters

850900 - DLC Liquor Warehouse

500933 - Equipment Maintenance and Operations Center (EMOC)

360900 - MCPS Food Distribution Facility

JUSTIFICATION

In order to implement the County's Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize both the transit oriented development intended for the area and address unmet needs.

The County is faced with aging facilities that require extensive investment of funds to meet our needs. With the age of some of the facilities, the extent of the required investment must be weighed against the long-term ability of the facilities to satisfy current and future County needs.

Plans and studies for this project include: M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

The project provides for only the planning phase. Final construction costs will be determined during the design development phase. A pedestrian impact analysis will be performed during the design of each project.

Overall the Smart Growth Initiative will be cost neutral.

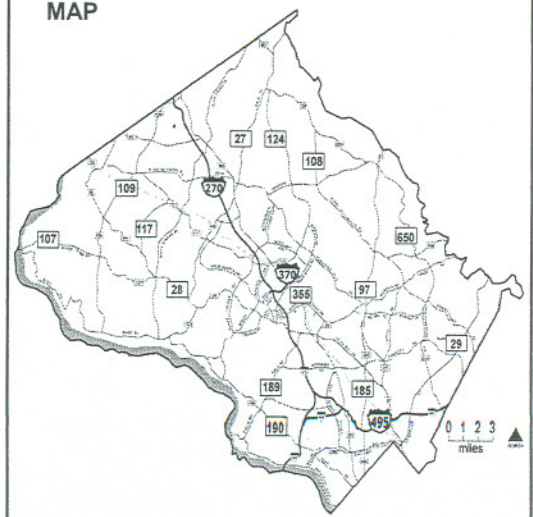
APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY09	(\$000)
First Cost Estimate		
Current Scope	FY09	681
Last FY's Cost Estimate		0
Appropriation Request	FY09	681
Appropriation Request Est.	FY10	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		0
Expenditures / Encumbrances		0
Unencumbered Balance		0
Partial Closeout Thru	FY06	0
New Partial Closeout	FY07	0
Total Partial Closeout		0

COORDINATION

Department of General Services
Department of Transportation
Department of Liquor Control
Department of Police
Montgomery County Fire and Rescue Service
Montgomery County Public Schools
Maryland-National Capital Park and Planning Commission
Department of Permitting Services
Department of Finance
Department of Technology Services
Office of Management and Budget
Washington Suburban Sanitary Commission

MAP



MCPS Food Distribution Facility -- No. 360900

Category
Subcategory
Administering Agency
Planning Area

General Government
County Offices and Other Improvements
General Services
North Central Transit Corridor

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 05, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	892	0	0	892	669	223	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	892	0	0	892	669	223	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	892	0	0	892	669	223	0	0	0	0	0
Total	892	0	0	892	669	223	0	0	0	0	0

DESCRIPTION

This project is part of the comprehensive Smart Growth Initiative Program described in Project No. 360902 and provides for the planning and design for relocation of the Montgomery County Public Schools (MCPS) Food Distribution Facility. The current facility is located in the County Service Park north of Equipment Maintenance Operation Center and south of Department of Liquor on the west side of Crabbs Branch Way. The current facility is about 58,000 square feet with 150 parking spaces for the staff and eight loading docks. This project will relocate the existing facility to a site on Snouffer School Road known as the Webb Tract. The facility operates from 3:30 a.m. to 4:30 p.m. and must be centrally located in the County. The new facility will be located on the same site with the new Public Safety Training Campus (Project No. 470905).

JUSTIFICATION

In order to implement the County's Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize both the transit oriented development intended for the area and to address unmet needs.

Plans and studies for this project include: M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

The project provides for only the design phase. Final construction costs will be determined during the design development phase.

A pedestrian impact analysis will be completed for this project during the design phase.

FISCAL NOTE

The project is estimated to cost approximately \$18 million.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP																																										
<table> <tr> <td>Date First Appropriation</td><td>FY09</td><td>(\$000)</td></tr> <tr> <td>First Cost Estimate</td><td></td><td></td></tr> <tr> <td>Current Scope</td><td>FY09</td><td>892</td></tr> <tr> <td>Last FY's Cost Estimate</td><td></td><td>0</td></tr> <tr> <td>Appropriation Request</td><td>FY09</td><td>892</td></tr> <tr> <td>Appropriation Request Est.</td><td>FY10</td><td>0</td></tr> <tr> <td>Supplemental Appropriation Request</td><td></td><td>0</td></tr> <tr> <td>Transfer</td><td></td><td>0</td></tr> <tr> <td>Cumulative Appropriation</td><td></td><td>0</td></tr> <tr> <td>Expenditures / Encumbrances</td><td></td><td>0</td></tr> <tr> <td>Unencumbered Balance</td><td></td><td>0</td></tr> <tr> <td>Partial Closeout Thru</td><td>FY06</td><td>0</td></tr> <tr> <td>New Partial Closeout</td><td>FY07</td><td>0</td></tr> <tr> <td>Total Partial Closeout</td><td></td><td>0</td></tr> </table>	Date First Appropriation	FY09	(\$000)	First Cost Estimate			Current Scope	FY09	892	Last FY's Cost Estimate		0	Appropriation Request	FY09	892	Appropriation Request Est.	FY10	0	Supplemental Appropriation Request		0	Transfer		0	Cumulative Appropriation		0	Expenditures / Encumbrances		0	Unencumbered Balance		0	Partial Closeout Thru	FY06	0	New Partial Closeout	FY07	0	Total Partial Closeout		0	Department of General Services Montgomery County Public Schools Maryland-National Capital Park and Planning Commission Department of Permitting Services Department of Finance Department of Technology Services Office of Management and Budget Washington Suburban Sanitary Commission	See Map on Next Page
Date First Appropriation	FY09	(\$000)																																										
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Partial Closeout Thru	FY06	0																																										
New Partial Closeout	FY07	0																																										
Total Partial Closeout		0																																										

Public Safety Training Campus -- No. 470905

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Other Public Safety
General Services
North Central Transit Corridor

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 05, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	6,239	0	0	6,239	2,191	4,048	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	6,239	0	0	6,239	2,191	4,048	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	6,239	0	0	6,239	2,191	4,048	0	0	0	0	0
Total	6,239	0	0	6,239	2,191	4,048	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative Program described in Project No. 360902 and provides planning and design for the relocation of the Public Safety Training Academy (PSTA) from the intersection of Great Seneca Highway and Darnestown Road to a site on Snouffer School Road known as the Webb Tract. The PSTA is the primary training facility for the Department of Police and Montgomery County Fire and Rescue Service. The project includes an academic building with various classes and training rooms, EMT paramedics training, a simulations area, a student study center, a gymnasium, an indoor firing skills training range, office spaces, locker rooms, graphics and video development, and canine training and support facility. The facility will also include an Emergency Vehicle Operation Center (EVOC), driving training classes and simulation rooms, driving training skid pads, skills pad, speed track and a fire safety training building. Staff and visitors surface parking will be constructed.

JUSTIFICATION

There has been no major upgrade or renovation to the current PSTA facility since it was completed in 1973. Since its completion, the training needs of the user agencies have changed significantly. As a result the current PSTA is in need of reconfiguration and expansion to meet current and projected needs. As approved in the PSTA Academic Building Complex Project No. 479909, it is estimated that an investment of approximately \$25 million is required to overhaul the existing facility. Even with the significant investment of funds at the current location, all of the PSTA needs cannot be satisfied at the existing site, and the site has little expansion capability.

The County is in need of expanded training facilities to enable first responders to be better prepared. The indoor firing range, including its target mechanism requires modernization and upgrades to bring it up to current standards. Also, the gymnasium is not adequate to meet the latest required fitness training, and increased public safety personnel utilization of the facility. Given that the PSTA cannot fully support the County's long-term needs for public safety training, its aging systems and also site constraints that do not allow for adequate expansion, financial resources could be better spent to create a new PSTA designed to support the County's long-term needs.

In terms of regional development, the existing PSTA site is uniquely located to support the creation of a state of the art medical research community which is currently being considered. Relocation of the PSTA will support the realization of this development, increase the County's economic base and prepare Montgomery County for future smart growth opportunities in this area.

Plans and studies for this project include: "Program of Requirements for Montgomery County Public Safety Training Academy", August 27, 1998; M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

The project provides for only the design phase. Final construction costs will be determined during the design development phase. A pedestrian impact analysis will be completed for this project during the design phase.

FISCAL NOTE

The project is estimated to cost approximately \$103 million.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP																																										
<table> <tr> <td>Date First Appropriation</td><td>FY09</td><td>(\$000)</td></tr> <tr> <td>First Cost Estimate</td><td>FY09</td><td>6,239</td></tr> <tr> <td>Current Scope</td><td></td><td></td></tr> <tr> <td>Last FY's Cost Estimate</td><td></td><td>0</td></tr> <tr> <td>Appropriation Request</td><td>FY09</td><td>6,239</td></tr> <tr> <td>Appropriation Request Est.</td><td>FY10</td><td>0</td></tr> <tr> <td>Supplemental Appropriation Request</td><td></td><td>0</td></tr> <tr> <td>Transfer</td><td></td><td>0</td></tr> <tr> <td>Cumulative Appropriation</td><td></td><td>0</td></tr> <tr> <td>Expenditures / Encumbrances</td><td></td><td>0</td></tr> <tr> <td>Unencumbered Balance</td><td></td><td>0</td></tr> <tr> <td>Partial Closeout Thru</td><td>FY06</td><td>0</td></tr> <tr> <td>New Partial Closeout</td><td>FY07</td><td>0</td></tr> <tr> <td>Total Partial Closeout</td><td></td><td>0</td></tr> </table>	Date First Appropriation	FY09	(\$000)	First Cost Estimate	FY09	6,239	Current Scope			Last FY's Cost Estimate		0	Appropriation Request	FY09	6,239	Appropriation Request Est.	FY10	0	Supplemental Appropriation Request		0	Transfer		0	Cumulative Appropriation		0	Expenditures / Encumbrances		0	Unencumbered Balance		0	Partial Closeout Thru	FY06	0	New Partial Closeout	FY07	0	Total Partial Closeout		0	Department of General Services Department of Police Montgomery County Fire and Rescue Service Maryland-National Capital Park and Planning Commission Department of Permitting Services Department of Finance Department of Technology Services Office of Management and Budget Washington Suburban Sanitary Commission	See Map on Next Page
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Partial Closeout Thru	FY06	0																																										
New Partial Closeout	FY07	0																																										
Total Partial Closeout		0																																										

Public Safety Headquarters -- No. 470906

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Other Public Safety
General Services
North Central Transit Corridor

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 05, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	1,674	0	0	1,674	1,274	400	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	1,674	0	0	1,674	1,274	400	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	1,674	0	0	1,674	1,274	400	0	0	0	0	0
Total	1,674	0	0	1,674	1,274	400	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative Program (No. 360902) and provides planning and design for the relocation of a number of County facilities to 100 Edison Park Drive in Gaithersburg known as the GE Building/GE Technology Park. Facilities and programs to be relocated from their current location as part of this project include: the Montgomery County Police Headquarters from Research Blvd., the Montgomery County Fire and Rescue Services from the Executive Office Building; Office of Emergency Management and Homeland Security offices from Quince Orchard Road, and the 1st District Police Station from Seven Locks Road. The project will also provide for the relocation of a number of other County functions currently in leased facilities. A public safety memorial will be constructed in coordination with the Public Arts Trust.

JUSTIFICATION

Montgomery County Police Headquarters

The Montgomery County Police Headquarters located at 2350 Research Boulevard is crowded and in need of major physical plant repairs and improvements. The building is in generally poor condition. The facility houses a mix of sworn and civilian units, but lacks the separation of law enforcement functions. The building also houses the Forensic unit and the crime laboratories. Because of the lack of space at the current site the Police Department has many of its functions dispersed to other locations in rented space.

Montgomery County Fire and Rescue Service Headquarters

The Montgomery County Fire and Rescue Service Headquarters is located at 101 Monroe Street on the 12th floor of the Executive Office Building (EOB). The space currently houses the Fire Chief, all five department division chiefs, and other key uniformed and administrative staff. However, due to facility and space limitations, other operational and administrative staff are located off-site. This creates inefficiencies for the day-to-day operations of the department. Also the EOB does not provide for needed 24/7 emergency response requirements and adequate parking accommodation.

1st District Police Station

The 1st District Police Station was constructed in 1963 and is about 15,752 square feet while the current needs are about 32,000 square feet. To help with the need for office space, the Police Department has placed a trailer on the site behind the main building. Twenty staff members use this trailer for office space. Based on a recent County study (Facility Condition Assessment, January 2005), the building is in need of major maintenance including new windows and a new roof. The planning and design for a new 1st District Station was approved under Project No. 470703 with the location and schedule to be determined. The GE Technology Park Site is a prime location for this facility.

These public safety facilities are in aging undersized buildings that are in need of extensive rehabilitation. Due to significant ongoing interaction between the Police Department, Fire and Rescue Service, and Homeland Security, these agencies would benefit from co-locating their administrative functions to facilitate their ongoing interaction and to enable the sharing of resources and support services. This co-location will be efficient operationally and will eliminate regular travel between agencies.

Other leased facilities

There are number of County operations that are currently located in various leased facilities. This project will also provide for the relocation of a number of leased facilities which will reduce the County's long term lease costs.

Plans and studies for this project include: "Program of Requirements for The Police-Fire-Rescue Service-Homeland Security Department's Headquarters Facility and Police First District Station", September 2006; M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach

APPROPRIATION AND EXPENDITURE DATA			COORDINATION		MAP
Date First Appropriation	FY09	(\$000)	Department of General Services	Department of Transportation	
First Cost Estimate	FY09	1,674	Department of Police	Montgomery County Fire and Rescue Service	See Map on Next Page
Current Scope			Department of Permitting Services	Department of Finance	
Last FY's Cost Estimate		0	Department of Technology Services	Office of Management and Budget	
Appropriation Request	FY09	1,674	Washington Suburban Sanitary Commission		
Appropriation Request Est.	FY10	0			
Supplemental Appropriation Request		0			
Transfer		0			
Cumulative Appropriation		0			
Expenditures / Encumbrances		0			
Unencumbered Balance		0			
Partial Closeout Thru	FY06	0			
New Partial Closeout	FY07	0			
Total Partial Closeout		0			

Public Safety Headquarters -- No. 470906 (continued)

Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

The project provides for only the design phase. Final construction costs will be determined during the design development phase.

-A pedestrian impact analysis will be completed for this project during the design phase.

FISCAL NOTE

The project is estimated to cost approximately \$98 million. The approved 1st District Police Station project (No. 470703) will be closed out.

Equipment Maintenance and Operations Center (EMOC) -- No. 500933

Category
Subcategory
Administering Agency
Planning Area

Transportation
Mass Transit
General Services
North Central Transit Corridor

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 06, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	7,081	0	0	7,081	3,173	3,908	0	0	0	0	0
Land	30,000	0	0	30,000	0	30,000	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	37,081	0	0	37,081	3,173	33,908	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	7,081	0	0	7,081	3,173	3,908	0	0	0	0	0
Interim Finance	30,000	0	0	30,000	0	30,000	0	0	0	0	0
Total	37,081	0	0	37,081	3,173	33,908	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative Program described in Project No. 360902 and provides for land, planning and design of a new Equipment and Maintenance Operations Center (EMOC) to support a doubling of transit ridership by 2020, transit, highway maintenance and fleet operations. Major components of the project are: administrative buildings for Transit Services; Fleet Management, and Highways Services; bus parking for 200 buses; bus service lanes; bus wash facility; fare collection area; bus service maintenance bays; parts room, heavy equipment storage shed, soil/gravel storage area, highway service bays, CNG fast-fill station, and employee parking. The current facility is located in the County Service Park on Crabbs Branch Way. The new facility will be built at sites known as Casey 6 & 7 located at the north of Shady Grove Road and west of extended Crabbs Branch Way.

JUSTIFICATION

Currently, EMOC has insufficient capacity to house and maintain its existing buses as well as the projected growth in transit and in highway and fleet services. EMOC design must begin as soon as possible in order to meet bus expansion plans. The Shady Grove Sector Plan has identified county owned properties on east and west side of Crabbs Branch Way to include EMOC facilities for future transit oriented development. As part of the County Smart Growth Initiative we need to make these sites available for the Sector Plan. This requires relocation of the current EMOC.

Plans and studies for this project include: M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

A pedestrian impact analysis will be completed for this project during the design phase.

FISCAL NOTE

The project provides for the design phase only. Final construction costs will be determined during the design development stage. The total project is expected to cost approximately \$135 million. Interim financing will be used for land acquisition in the short term, with permanent funding sources to include G.O. Bonds and Land Sale Proceeds.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY09	(\$000)
First Cost Estimate	FY09	37,081
Current Scope		
Last FY's Cost Estimate		0
Appropriation Request	FY09	37,081
Appropriation Request Est.	FY10	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		0
Expenditures / Encumbrances		0
Unencumbered Balance		0
Partial Closeout Thru	FY06	0
New Partial Closeout	FY07	0
Total Partial Closeout		0

COORDINATION

Department of General Services
Department of Transportation
Maryland-National Capital Park and Planning Commission
Department of Permitting Services
Department of Finance
Department of Technology Services
Office of Management and Budget
Washington Suburban Sanitary Commission

MAP

See Map on Next Page

Resolution No: _____

Introduced: _____

Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY09-14 Capital Improvements Program (CIP) #22-A09-CMCG-5
Montgomery County Government
Department of Police - PSTA Academic Building Complex (No. 479909), and
1st District Police Station (No. 470703);
Department of Transportation - Equipment and Maintenance Operations Center (EMOC)
(No. 500433);
Department of Liquor Control – DLC Temperature-Controlled Liquor Warehouse
(No. 850500), and new DLC Liquor Warehouse (No. 850900).

Background

1. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
2. The County Executive recommends this amendment to the FY09-14 Capital Improvements Program as shown on the attached project description forms.
3. Based on a comprehensive assessment conducted by an independent consultant, Staubach, together with an interagency working group, and in order to implement the County's Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, it was determined that the County Service Park must be relocated. The County is also faced with aging facilities that require extensive investment of funds to meet our needs. With the age of some of the facilities, the extent of the required investment was weighed against the long-term ability of the facilities to satisfy current and future County needs.

The resulting comprehensive Smart Growth Initiative will enable the County to meet both the need to replace aging facilities as well as implement the Shady Growth Sector Plan. As a result, several new projects including a Public Safety Training Campus, Public Safety Headquarters, DLC Liquor Warehouse, an Equipment Maintenance and Operations Center (EMOC), a Montgomery County Public Schools (MCPS) Food Distribution Facility, an MCPS Bus Depot, a Montgomery County Radio Shop, and a Maryland-National Capital Park and Planning Commission (M-NCPPC) Maintenance Facility, are recommended in a separate Resolution.

The amendment to the PSTA Academic Building Complex (No.479909), 1st District Police Station (No.470703), and the Equipment Maintenance and Operations Center (EMOC) (No.500433) is required to remove funds programmed in the FY09 -14 period and adjust the appropriation requirements. The Temperature-Controlled Liquor Warehouse (No. 850500) project text is amended and will be closed out and a new DLC Liquor Warehouse (No. 850900) project is being created. The recommended amendment is consistent with the criteria for amendment of the CIP for technical reasons.

4. The County Executive recommends an amendment to the following projects: PSTA Academic Building Complex (No. 479909), 1st District Police Station (No. 470703), the Equipment Maintenance and Operations Center (EMOC) (No. 500433), Temperature-Controlled Liquor Warehouse (No. 850500) and DLC Liquor Warehouse (No. 850900).

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY09-14 Capital Improvements Program of the Montgomery County Government is amended as described above and as reflected on the attached project description forms.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

PSTA Academic Building Complex -- No. 479909

Category
Subcategory
Administering Agency
Planning Area
Service Area

Public Safety
Police
General Services
Countywide
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 05, 2008
No
None.
Final Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	1,844	1,388	456	0	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	108	8	100	0	0	0	0	0	0	0	0
Construction	9,351	2	9,349	0	0	0	0	0	0	0	0
Other	1	1	0	0	0	0	0	0	0	0	0
Total	11,304	1,399	9,905	0	0	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	11,304	1,399	9,905	0	0	0	0	0	0	0	0
Total	11,304	1,399	9,905	0	0	0	0	0	0	0	0

DESCRIPTION

A new Public Safety Training Campus (Project No. 470905) is proposed as part of the implementation of the Smart Growth Initiative Program described in Project No. 360902. The project described below will be closed out.

This project provides for a major renovation and expansion of the Public Safety Training Academy (PSTA), the primary training facility for the Department of Police and Montgomery County Fire and Rescue Service (including the site for the Travilah Fire Station). The project will involve renovations to, and expansion of, the Academic Building Complex (ABC) and enhancements including a helipad and renovation of the gym and indoor firing range. ABC expansion areas will contain general classrooms, an indoor firing skills training facility, and consolidated office space. Existing space will be renovated and reconfigured to provide general and technical classrooms (such as EMT paramedic, computer, and firearms), a simulations area, a student study center, and expansion and upgrade of the physical training area and locker rooms. A portion of the basement will be renovated as un-programmed space that will provide a future capability for graphics production and video development and broadcast. A new canine support facility of 1,350 gross square feet will be developed adjacent to the existing Emergency Vehicle Operations Center (EVOC) facility and driving course. The project also includes design and construction of a public safety memorial in coordination with the Public Arts Trust. A memorial site is reserved on the PSTA site with an appropriation of \$150,000. Other site considerations include stormwater management, developing centralized reception/security access for the PSTA, providing overall security for the site, increased parking, and resurfacing of existing pavements. The project also includes improvements to the lighting, mechanical systems, and building envelope to meet Executive Regulation 68-91 AM, Building Design Standards. Subsequent phases, not included in the project at this time, will include replacement and expansion of the Montgomery County Fire and Rescue Service outdoor fire training props, including the burn building, as well as the addition of a lecture hall. The Multi-Agency Driver Training Facility project is included under the General Government section.

JUSTIFICATION

There have been no major upgrades or renovations to the PSTA since it was completed in 1973. Since its completion, the training needs of the user agencies have changed significantly. As a result, the PSTA is in need of reconfiguration and expansion to meet current and projected training needs. Although some non-public safety agencies and citizens may use this facility for training, public safety agency training is its primary function. Since the completion of the PSTA Academic Complex project POR, a number of events have taken place that demonstrated the need for first responders to be better prepared for such events. The indoor firing range, including its target mechanism, requires modernization and upgrade to bring it up to current standards. The gym renovation is essential in order to meet the latest required fitness training and the increased number of public safety personnel utilizing the facility. The addition of a helipad allows for one of the most versatile transport vehicles to work from the PSTA.

Planning funds from the Facility Planning: Police and Facility Planning: Fire and Rescue projects have been used to develop needs assessment studies, the associated Program of Requirements, and cost estimates.

OTHER

Special Capital Projects Legislation will be proposed by the County Executive to reauthorize this project.

The location and schedule of this project has been proposed to change by the County Executive as part of his comprehensive Smart Growth Initiative. The project scope, cost estimates, and schedule is being amended with the completion of a detailed implementation and financing plan for the Smart Growth Initiative.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

APPROPRIATION AND EXPENDITURE DATA

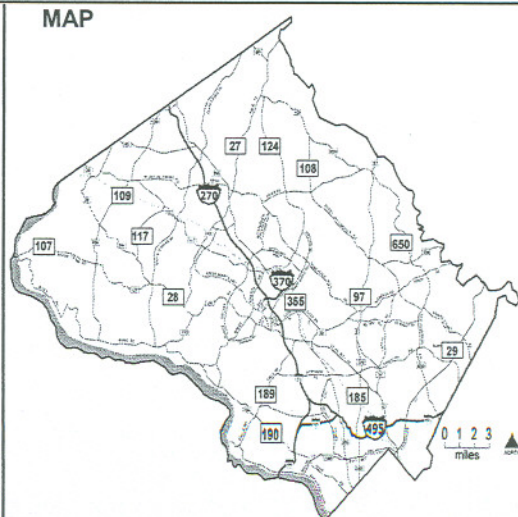
Date First Appropriation	FY99	(\$000)
First Cost Estimate		
Current Scope	FY07	11,772
Last FY's Cost Estimate		24,909
Appropriation Request	FY09	-13,182
Appropriation Request Est.	FY10	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		24,486
Expenditures / Encumbrances		1,750
Unencumbered Balance		22,736
Partial Closeout Thru	FY06	0
New Partial Closeout	FY07	0
Total Partial Closeout		0

COORDINATION

Department of Police
Department of Correction and Rehabilitation
Montgomery County Fire and Rescue Service
Department of General Services
Multi-Agency Driver Training Facility
Office of Management and Budget
M-NCPPC

Special Capital Projects Legislation [Bill No. 5-98] was adopted by Council April 21, 1998, and reauthorized May 14, 2003 [Bill 6-03].

MAP



1st District Police Station -- No. 470703

Category
Subcategory
Administering Agency
Planning Area

Public Safety
Police
General Services
Rockville

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

October 27, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	0	0	0	0	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Total	0	0	0	0	0	0	0	0	0	0	0
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DESCRIPTION

A new 1st District Police Station (Project No. 470906) is proposed as part of the implementation of the Smart Growth Initiative Program described in Project No. 360902. The project described below will be closed out.

This project provides for the site selection, planning, and design of a new 32,844 gross square foot (including auxiliary buildings) 1st District Police Station to serve Rockville and Potomac vicinities. The Prototype District Station is a facility consisting of two floors and surface parking. The first floor houses the public area, operations, patrol and patrol support functions, and a small prisoner holding area. The second floor houses investigative units, staff support, and administration. A 1,200-square foot enclosed property storage area will also be constructed contiguous to the district station to store large evidence items. The district station is a 24-hour, 7-day per week operation and provides support for the patrol beat teams. It is the command center for the satellite facilities within the police district. The district station will accommodate up to 161 department staff and volunteers. A public meeting room will be available to facilitate outreach within the community.

JUSTIFICATION

The 1st District Police Station was constructed in 1963 and contains 15,752 gross square feet. To help with the need for office space, the Police Department has placed a temporary trailer on site behind the main building to accommodate staff. Twenty staff members use this trailer for office space. Based on a recent County study (Facility Condition Assessment, January 2005), this station is in need of over \$200,000 in deferred maintenance, and the facility needs new windows and a new roof. The population of the County is expected to increase to 1,000,000 by 2010. Therefore, the need for this station will continue to grow because it is located in an area of re-construction of existing homes and steady business development.

OTHER

The project provides for only the design phase. Final construction costs will be determined during the design development stage.

The location and schedule of this project have been proposed to change by the County Executive as part of his comprehensive Smart Growth Initiative. The project scope, cost estimates, and schedule will be amended with the completion of a detailed implementation and financing plan for the Smart Growth Initiative.

OTHER DISCLOSURES

- A pedestrian impact analysis will be performed during design or is in progress.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY	(\$000)
First Cost Estimate		
Current Scope	FY07	1,264
Last FY's Cost Estimate		1,264
Appropriation Request	FY09	0
Appropriation Request Est.	FY10	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		0
Expenditures / Encumbrances		0
Unencumbered Balance		0
Partial Closeout Thru	FY06	0
New Partial Closeout	FY07	0
Total Partial Closeout		0

COORDINATION

Department of Police
Department of General Services
Department of Permitting Services
Department of Technology Services
Department of Correction and Rehabilitation
City of Rockville
Rockville Community
WSSC
PEPCO
Washington Gas

MAP

See Map on Next Page

Equipment and Maintenance Operations Center (EMOC) -- No. 500433

Category
Subcategory
Administering Agency
Planning Area

Transportation
Mass Transit
General Services
Rockville

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

October 27, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	0	0	0	0	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

G.O. Bonds	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0	0

DESCRIPTION

A new EMOC facility (No. 500933) is proposed as part of the implementation of the Smart Growth Initiative Program described in Project No.360902. The project described below will be closed out.

This project provides for the planning and design of an expanded Equipment and Maintenance Operations Center (EMOC) to support a doubling of transit ridership by 2020. Major components of the project are: expanded bus parking from the current 127 buses to 200 buses; three new bus service lanes for both diesel and CNG fueling; two new bus wash facilities; a new fare collection area; a 7,600 gross square foot building addition; renovation of the existing building; eight new bus service maintenance bays; an expanded parts room; renovation and reconfiguration of the Fleet Management portion of EMOC; upgraded HVAC systems; a new 48 bay heavy equipment storage shed; a new soil/gravel storage area; extension of the four highway service bays; expanded employee parking; a new access drive and modified entrances; fencing; lighting; landscaping; and stormwater management.

JUSTIFICATION

Currently, EMOC has insufficient capacity to house and maintain its existing buses. In addition, expansion plans are premised on the facility accommodating 73 more buses. EMOC design must begin as soon as possible in order to meet bus expansion plans. Construction funding has been delayed in recognition of the Shady Grove Sector Plan, which calls for a mixed-use community with a residential focus where EMOC is located. The Executive Branch will continue to investigate site relocation options. The two year sector plan hold on the project will lapse prior to start of design.

OTHER

Air quality improvements at EMOC are included in the Indoor Air Quality Improvements - EMOC project.

The location and schedule of this project has been proposed to change by the County Executive as part of his comprehensive Property Use Initiative. The project scope, cost estimates and schedule will be amended with the completion of a detailed implementation and financing plan for the Property Initiative.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY09	(\$000)
First Cost Estimate	FY09	2,962
Current Scope		
Last FY's Cost Estimate		2,962
Appropriation Request	FY09	-2,962
Appropriation Request Est.	FY10	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		2,962
Expenditures / Encumbrances		0
Unencumbered Balance		2,962
Partial Closeout Thru	FY06	0
New Partial Closeout	FY07	0
Total Partial Closeout		0

COORDINATION

Department of Transportation
Department of General Services
Department of Technology Services
Department of Permitting Services
Maryland-National Capital Park and Planning Commission

MAP

See Map on Next Page

Temperature Controlled Liquor Warehouse -- No. 850500

Category
Subcategory
Administering Agency
Planning Area

General Government
County Offices and Other Improvements
General Services
Rockville

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

October 27, 2008
No
None.
Final Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	165	165	0	0	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	100	100	0	0	0	0	0	0	0	0	0
Construction	511	511	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	776	776	0	0	0	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Revenue Bonds: Liquor Fund	776	776	0	0	0	0	0	0	0	0	0
Total	776	776	0	0	0	0	0	0	0	0	0

DESCRIPTION

A new liquor warehouse facility (No. 850900) is proposed as part of the implementation of the Smart Growth Initiative Program (No. 360906). The project described below will be closed out.

The project provides for an additional 50,000 square feet of support function, liquor/wine, and packaged beer storage space to the existing building, expansion of the truck parking area, and provision of air-conditioning for the existing warehouse facility. The new packaged beer storage space will comply with mandated supplier facility requirements.

JUSTIFICATION

Various beer manufacturers require their beer to be stored at specific temperatures. The existing warehouse cannot meet these temperature requirements. The warehouse is also used for storing other temperature-sensitive products, including wine. The existing warehouse is the designated work place for permanent, full-time County employees. It is currently the only County non-air-conditioned worksite.

Program of Requirements (POR) and "Temperature Control Warehouse Expansion" study is completed.

OTHER

The location and schedule of this project has been proposed to change by the County Executive as part of his comprehensive Property Use Initiative. The project scope, cost estimates, and schedule will be amended with the completion of a detailed implementation and financing plan for the Property Use Initiative.

FISCAL NOTE

The Department of Liquor Control will finance the cost of this project.

OTHER DISCLOSURES

- A pedestrian impact analysis has been completed for this project.

APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	FY05	(\$000)
First Cost Estimate		
Current Scope	FY05	7,348
Last FY's Cost Estimate		7,348
Appropriation Request	FY09	0
Appropriation Request Est.	FY10	0
Supplemental Appropriation Request		0
Transfer		0
Cumulative Appropriation		0
Expenditures / Encumbrances		0
Unencumbered Balance		0
Partial Closeout Thru	FY06	0
New Partial Closeout	FY07	0
Total Partial Closeout		0

COORDINATION

Department of General Services
Department of Liquor Control
Maryland-National Capital Park and Planning Commission
Department of Permitting Services
Department of Finance
Department of Technology Services
Office of Management and Budget
Washington Suburban Sanitary Commission

MAP

See Map on Next Page

DLC Liquor Warehouse -- No. 850900

Category
Subcategory
Administering Agency
Planning Area

General Government
County Offices and Other Improvements
General Services
North Central Transit Corridor

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

November 05, 2008
No
None.
Planning Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY07	Est. FY08	Total 6 Years	FY09	FY10	FY11	FY12	FY13	FY14	Beyond 6 Years
Planning, Design, and Supervision	1,438	0	0	1,438	335	1,103	0	0	0	0	0
Land	25,000	0	0	25,000	25,000	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	26,438	0	0	26,438	25,335	1,103	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Revenue Bonds: Liquor Fund	26,438	0	0	26,438	25,335	1,103	0	0	0	0	0
Total	26,438	0	0	26,438	25,335	1,103	0	0	0	0	0

DESCRIPTION

This project is part of the Smart Growth Initiative Program described in Project No. 360902 and provides for land, planning and design of the relocation and planned expansion of the existing Liquor Control warehouse located on Crabbs Branch Way, into the 200,000 square foot Finmarc building on Shady Grove Road in Gaithersburg. The project provides for the consolidation of all Department of Liquor Control functions including all administrative functions, and liquor and wine, and packaged beer storage space.

JUSTIFICATION

The Shady Grove Sector Plan has identified county owned properties on east and west side of Crabbs Branch Way, including the current Department of Liquor Control (DLC) warehouse for future transit oriented development. Relocation of the current Liquor warehouse is also necessary to implement the County Executive's Smart Growth Initiative. The Department of Liquor Control needs a larger warehouse with air-conditioned space. It is currently occupying leased space and the existing warehouse, when combined are inadequate for its needs. Various beer manufacturers require their beer to be stored at specific temperatures. The existing warehouse cannot meet these temperature requirements. The warehouse is also used for storing other temperature-sensitive products, including wine. The existing warehouse is the designated work place for permanent, full-time County employees. It is currently the only County non-air-conditioned worksite.

In order to implement the County's Shady Grove Sector Plan which would capitalize on the existing investment in mass transit by creating a transit-oriented development community, the County Service Park must be relocated. Relocation of the facilities at the County Service Park will enable the County to realize both the transit oriented development intended for the area and to address unmet needs.

Plans and studies for this project include: Program of Requirements (POR), Department of Liquor Control, "Temperature Control Warehouse Expansion", June 13, 2003; M-NCPPC Shady Grove Sector Plan, approved by the Montgomery County Council, January 2006, adopted by the M-NCPPC, March 15, 2006; "Montgomery County Property Use Study Updated Briefing to County Council", April 29, 2008 (based on Staubach Reports); "Montgomery County Smart Growth Initiative Update to County Council", September 23, 2008.

OTHER

The project provides for land acquisition costs and the design phase only. Final construction costs will be determined during the design development stage.

A pedestrian impact analysis will be completed for this project during the design phase.

FISCAL NOTE

The total project is expected to cost approximately \$47 million. The Department of Liquor Control Fund will finance the cost of this project.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP												
<table> <tr> <td>Date First Appropriation</td><td>FY09</td><td>(\$000)</td></tr> <tr> <td>First Cost Estimate</td><td>FY09</td><td>26,438</td></tr> <tr> <td>Current Scope</td><td></td><td></td></tr> <tr> <td>Last FY's Cost Estimate</td><td></td><td>0</td></tr> </table>	Date First Appropriation	FY09	(\$000)	First Cost Estimate	FY09	26,438	Current Scope			Last FY's Cost Estimate		0	Department of General Services Department of Liquor Control Maryland-National Capital Park and Planning Commission Department of Permitting Services Department of Finance Department of Technology Services Office of Management and Budget Washington Suburban Sanitary Commission	
Date First Appropriation	FY09	(\$000)												
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Last FY's Cost Estimate		0												
<table> <tr> <td>Appropriation Request</td><td>FY09</td><td>0</td></tr> <tr> <td>Appropriation Request Est.</td><td>FY10</td><td>0</td></tr> <tr> <td>Supplemental Appropriation Request</td><td></td><td>0</td></tr> <tr> <td>Transfer</td><td></td><td>0</td></tr> </table>	Appropriation Request	FY09	0	Appropriation Request Est.	FY10	0	Supplemental Appropriation Request		0	Transfer		0		
Appropriation Request	FY09	0												
Appropriation Request Est.	FY10	0												
Supplemental Appropriation Request		0												
Transfer		0												
<table> <tr> <td>Cumulative Appropriation</td><td></td><td>0</td></tr> <tr> <td>Expenditures / Encumbrances</td><td></td><td>0</td></tr> <tr> <td>Unencumbered Balance</td><td></td><td>0</td></tr> </table>	Cumulative Appropriation		0	Expenditures / Encumbrances		0	Unencumbered Balance		0					
Cumulative Appropriation		0												
Expenditures / Encumbrances		0												
Unencumbered Balance		0												
<table> <tr> <td>Partial Closeout Thru</td><td>FY06</td><td>0</td></tr> <tr> <td>New Partial Closeout</td><td>FY07</td><td>0</td></tr> <tr> <td>Total Partial Closeout</td><td></td><td>0</td></tr> </table>	Partial Closeout Thru	FY06	0	New Partial Closeout	FY07	0	Total Partial Closeout		0					
Partial Closeout Thru	FY06	0												
New Partial Closeout	FY07	0												
Total Partial Closeout		0												

See Map on Next Page



OFFICE OF THE COUNTY EXECUTIVE

Isiah Leggett
County Executive

October 29, 2008

Timothy L. Firestine
Chief Administrative Officer

Mr. Robert D. Youngentob
President
EYA LLC
4800 Hampden Lane, Suite 300
Bethesda, MD 20814

Mr. Jonathan B. Cox
Senior Vice President
AvalonBay Communities, Inc.
2900 Eisenhower Avenue, Suite 300
Alexandria, VA 22314

Re: Letter of Intent – Smart Growth Initiative

Dear Messrs. Youngentob and Cox:

This letter sets forth the basic terms and conditions under which Montgomery County, Maryland ("County") is prepared to enter into negotiations with Eakin - Youngentob Associates, Inc. ("EYA"), and AvalonBay Communities, Inc. ("AvalonBay"), concerning the acquisition and disposition of certain properties associated with the fulfillment of the County's Smart Growth Initiative ("Letter of Intent").

The County is the owner of a 91 acre parcel of land along Crabbs Branch Road in Gaithersburg, Maryland, known as the County Service Park ("CSP"). The CSP is bisected by Crabbs Branch Road so that approximately 45 acres lie on the West side of Crabbs Branch Road and approximately 45 acres lie on the East side of Crabbs Branch Road. Several County facilities currently occupy CSP West, including the County's Equipment Maintenance Operation Center, County Liquor Warehouse and the County's public schools food preparation facilities.

The County Executive announced his Smart Growth Initiative, a comprehensive strategy to better serve the public interests by relocating several County agencies from their current, outdated and inadequate facilities to other more functional sites in the County and to utilize the properties being vacated by these County agencies to promote the "Smart Growth" ideals of encouraging transit-oriented mixed-use development in close proximity to public transit facilities. One of the goals of the Smart Growth Initiative is to relocate the County facilities now occupying the CSP, and upon such relocation, to develop the CSP with a transit-oriented mixed-use development in accord with the 2006 Shady Grove Sector Plan ("Sector Plan").

Mr. Robert Youngentob
Mr. Jonathan Cox
October 29, 2008
Page 2

The Sector Plan, which designates the area of the CSP lying to the west of Crabbs Branch Road as "Metro North-CSP" ("Metro North-CSP") and the area of the CSP lying to the east of Crabbs Branch Road as "Jeremiah Park" ("Jeremiah Park"), calls for the relocation of the existing facilities now on the CSP and outlines a plan for the redevelopment that should occur on the CSP and nearby parcels. The Sector Plan specifically identifies the "Casey 6 & 7 Parcels," controlled by EYA, as suitable relocation sites for some of the uses now on the CSP West that need to remain in the vicinity of the Shady Grove METRO and expressly contemplates increasing the proposed density on the CSP if jointly developed with the Casey 6 & 7 Parcels. EYA was substantially involved in the Sector Plan process and proposed the use of Casey 6 & 7 Parcels to the County as potential relocation sites.

Under a joint development plan, the Sector Plan allows up to 40,000 square feet of retail development, 133,250 square feet of office development, and 2,240 residential units, including substantial numbers of MPDU, TDR, and Workforce units, to be developed on the total CSP. Of the total residential units allowed on the CSP by the Sector Plan, a maximum of 1,540 are allocated to Metro North-CSP, including all bonus densities.

AvalonBay Communities, Inc. ("AvalonBay") is the contract purchaser of a 51+/- acre property located at 100 Edison Park Drive in Gaithersburg, Maryland (the "GE Tech Property"). The GE Tech Property is improved with a 5-story, 375,000 square foot building that formerly served as the headquarters for the National Geographic Society. AvalonBay responded to a solicitation issued by the County that sought potential relocation sites for facilities at the CSP. AvalonBay proposed to sell the GE Tech Property to the County, for use as a relocation site for County facilities, in exchange for providing AvalonBay with an exclusive right to purchase a portion of the CSP. The County believes that the GE Tech Property is better suited to serve as the headquarters for the administrative offices of the County's public safety departments and is interested in acquiring the property for that purpose.

County, EYA, and AvalonBay enter into this non-binding Letter of Intent and further describe their respective intentions, in furtherance of the County's Smart Growth Initiative and the redevelopment of the CSP, as follows:

- (1) Purchase and Sale Agreement for the Casey 6 & 7 Parcels. County and EYA will use commercially reasonable efforts to enter into a binding Purchase and Sale Agreement, by December 1, 2008, for the County's acquisition of the Casey 6 and 7 Parcels. It is the intention of the parties that, in addition to such other terms as are mutually agreed to between the two parties, the Purchase and Sale Agreement will include the following provisions:
 - (a) The price to be paid for Casey 6 and 7 Parcels shall be the fair market value, as mutually agreed to by EYA and County, based on the amount of residential and office density permitted in the approved Phase II Preliminary Plan for the Casey 6 & 7 Parcels.

Mr. Robert Youngentob
Mr. Jonathan Cox
October 29, 2008
Page 3

- (b) Closing shall be all cash and shall occur on or before July 3, 2009.
- (c) EYA and County will enter into an exclusive negotiating period, for 180 days after execution of the Purchase and Sale Agreement, in which EYA and County shall use commercially reasonable efforts to enter into a Master Planning Agreement that would detail the role of EYA as the CSP Master Planner, as further described in paragraph (3) below.
- (2) Purchase and Sale Agreement for the GE Tech Property. County and AvalonBay shall use commercially reasonable efforts to enter into a binding Purchase and Sale Agreement, by December 1, 2008, for the County's acquisition of GE Tech Property. Both County and AvalonBay acknowledge that they have been in extended negotiations for the acquisition of the GE Tech Property. It is the intention of the parties that, in addition to such other terms as are mutually agreed to between the two parties, the Purchase and Sale Agreement will include the following provisions:
 - (a) The price to be paid for the GE Tech Property shall be the fair market value, as mutually agreed to by AvalonBay and County in their respective sole discretion;
 - (b) AvalonBay will deliver title to the GE Tech Property free and clear of all encumbrances, including, but not limited to, the existing financing that encumbers the property;
 - (c) AvalonBay will terminate the existing lease of the GE Tech Property prior to closing.
 - (d) In exchange for its agreement to sell the GE Tech Property, AvalonBay shall have the opportunity to enter into an agreement as the Multi-Family Component Developer to purchase land for 600 multifamily units and related retail on Metro North-CSP at the fair market value price, including mutually agreed escalations in that price, together with such other terms and conditions, that are contained in an agreement, in form and substance mutually agreeable to Avalon Bay and the County, to be entered into at the same time as the Purchase and Sale Agreement. Subject to an agreement between Avalon Bay and EYA as to how density should be allocated on the Metro North-CSP, AvalonBay may have a further first right of opportunity to purchase land for additional multi-family units approved for development on the Metro North-CSP pursuant to the terms and conditions of a purchase and sale agreement to be entered into at the same time as the Purchase and Sale Agreement.
- (3) Master Planning Agreement for the CSP. Following the execution of the Purchase and Sale Agreement contemplated in Paragraph (1), County and EYA shall use commercially reasonable efforts to enter into a Master Planning Agreement for the CSP. It is the intention of the parties that, in addition to such other terms as are mutually agreed to

Mr. Robert Youngentob
Mr. Jonathan Cox
October 29, 2008
Page 4

between the two parties, the Master Planning Agreement will include the following provisions:

- a) EYA shall serve as the CSP Master Planner. In its role as Master Planner, EYA shall be responsible to oversee the Pre-Development Design Work (to be defined in the Master Planning Agreement), which shall include creating a Redevelopment Plan for the CSP that substantially implements the Sector Plan vision for the CSP.
- b) The scope of work contemplated under the Master Planning Agreement in accordance with the Sector Plan shall be the Pre-Development Work necessary to create the redevelopment plan for the County Service Park that will implement the Sector Plan, maximize the allowable density on the CSP, and optimize the land value for the County. This work shall include (i) preparing and seeking approval of a preliminary development concept plan (the "Preliminary Concept Development Plan"), (ii) preparing and seeking approval of a Preliminary Plan Application ("Preliminary Plan Approval"), (iii) preparing and seeking approvals of a Final Site Plan Application ("Final Site Plan Approval"), and (iv) preparing and seeking approval of a plat of subdivision ("Subdivision Plat Approval).
- c) County and EYA shall mutually agree on a schedule of Performance Milestones for EYA to complete the Master Planning Work. Such milestones will include, but not be limited to, preparation of a preliminary development concept for the CSP, submission of a Preliminary Plan Application and submission of a Final Site Plan Application.
- (a) d) In exchange for performing its role as Master Planner, EYA shall have the right to purchase land on Metro North-CSP for 338 attached single family attached units, as provided in the Sector Plan, at the fair market value price (including mutually agreed additional price payments to compensate the County should the units sell for prices greater than in 2008) and under terms and conditions as contained in the Master Planning Agreement. Subject to an agreement between Avalon Bay and EYA as to how density should be allocated on the Metro North-CSP, EYA may have the further first right of opportunity to purchase land on the Metro North-CSP for additional single family attached units pursuant to the terms and conditions of a purchase and sale agreement entered into at the same time as the Purchase and Sale Agreement.

County, EYA and AvalonBay agree not to market their respective properties which are the subject of this Letter of Intent, or solicit, or negotiate for, or accept offers for the purchase of such properties, or enter into any agreements for sale of such properties with other potential purchasers, for a period of ninety (90) days after the date of this Letter of Intent. County, EYA and AvalonBay shall have the right, at any time prior to the expiration of such ninety (90) day period, to cancel or withdraw this Letter of Intent by written notice to the other party. If the parties have not entered into the Purchase and Sale Agreements contemplated by this Letter of Intent, on or before the end of such ninety (90) day period, then this Letter of Intent shall

Mr. Robert Youngentob
Mr. Jonathan Cox
October 29, 2008
Page 5

automatically fully and forever terminate and the parties shall have the right to market their properties which are the subject of this Letter of Intent, or solicit or accept offers for the purchase or lease of such properties, and to enter into and consummate agreements in connection therewith, and this Letter of Intent shall be null and void. The foregoing provisions are referred to as the "Exclusivity Provisions."

This Letter of Intent is and is intended only to be an expression of interest, by the parties signing and accepting this letter, to the transaction herein described, and in no event shall this Letter of Intent or any modifications hereof, or any correspondence in any form, negotiations, submissions of draft contracts or other documents, or any discussions, between the parties hereto or their agents, counsel or employees shall be deemed to be or constitute a binding contractual agreement or other legally enforceable obligation of any kind upon or among County, EYA and AvalonBay to any such or any other matters, or an express or implied duty of the parties to negotiate or agree upon, execute, deliver or consummate any agreement or any other documents concerning the properties which are the subject matter of this Letter of Intent. Any legally binding obligation, if any, shall be only as may be contained in the Purchase and Sale Agreements mutually agreed upon, executed and delivered by the parties concerning the properties that are the subject matter of this Letter of Intent. Notwithstanding anything to the contrary set forth in this Letter of Intent, the County expressly reserves the right to acquire the GE Tech Property and/or Casey 6 & 7 Parcels for a public purpose, in its sole judgment and absolute discretion, through any means legally available to the County, including the exercise of its power of Eminent Domain. All such rights are expressly reserved by the County.

The County looks forward to working with EYA and AvalonBay on the County's Smart Growth Initiative. Please have EYA and AvalonBay execute the Letter of Intent and return it to me.

Sincerely,

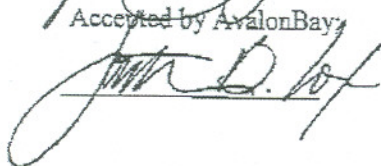


Diane R. Schwartz Jones
Assistant County Administrative Office for
Montgomery County, Maryland

Accepted by EYA:



Accepted by AvalonBay:





MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: Acquisition of Casey 6 & 7 Parcels	Executive Order No. 263-08	Subject Suffix ORE
Originating Department: General Services	Department Number ORE 01-08	Effective Date 11/07/08

WHEREAS, the Shady Grove Sector Plan (the Plan), adopted January 17, 2006, by Resolution 15-1283, has as a major goal the relocation of the County Service Park (CSP), providing new housing opportunities close to the Shady Grove Metro station. The Plan endorses relocating CSP facilities to property identified as Casey 6 & 7; and

WHEREAS, in part to implement that goal, the County Executive has undertaken a Smart Growth Initiative, which has as part of its plan, the relocation of the Equipment Maintenance and Operations Center (EMOC) from the CSP to Casey 6 & 7; and

WHEREAS, negotiations with the contract purchaser of Casey 6 & 7 have occurred and a sales price of \$30,000,000 has been offered and accepted. Other terms and conditions of the sale remain to be negotiated.

NOW THEREFORE, in consideration of the above recitals and subject to the appropriation of funds, the County Executive hereby directs the Department of General Services and the County Attorney to take all steps necessary to acquire the land known as Casey 6 & 7, for a purchase price of \$30,000,000, for the purpose of relocating the EMOC. The sites are more specifically identified as:

Casey 6 – A portion of the Property of Betty B. Casey, et al, recorded at Liber 13830, Folio 424 among the land records of Montgomery County, Maryland. For tax purposes, it is known as a part of Parcel P131 on tax map GS23. It is comprised of 829,664 square feet, or 19.05 acres, bounded on the southwest side by Crabbs Branch Way, on the north by Interstate 370 and on the southwest by the CSX railroad. A sketch and metes and bounds description are attached.

Casey 7 - A portion of the Property of Betty B. Casey, et al, recorded at Liber 13830, Folio 424 among the land records of Montgomery County, Maryland. For tax purposes, it is known as a part of Parcel P131 on tax map GS23. It is comprised of 738,141 square feet, or 16.95 acres. The northernmost 1.82 acres has been split from the rest of the parcel by an extension of Crabbs Branch Way. It has frontage on the southwest side on Crabbs Branch Way, the north side on Shady Grove Road, the southeast on Interstate 370 and the CSX railroad abuts the entire southwest boundary. A sketch and metes and bounds description are attached.

Approved as to Form and Legality
Office of the County Attorney:

By: *[Signature]*

Date: 11/3/08

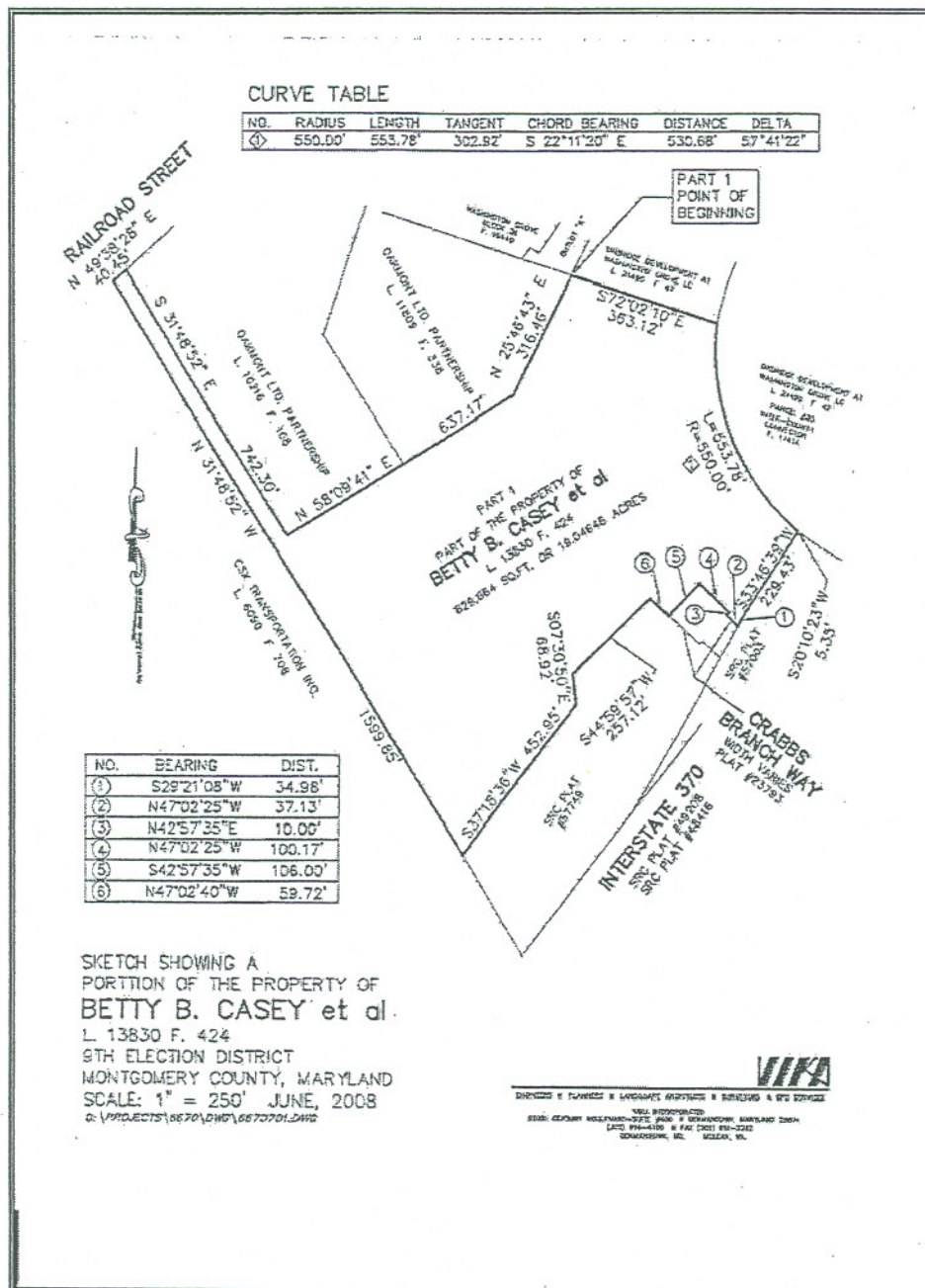
Approved:

By: *[Signature]*

Isiah Leggett
County Executive

[illegible]

PLAT

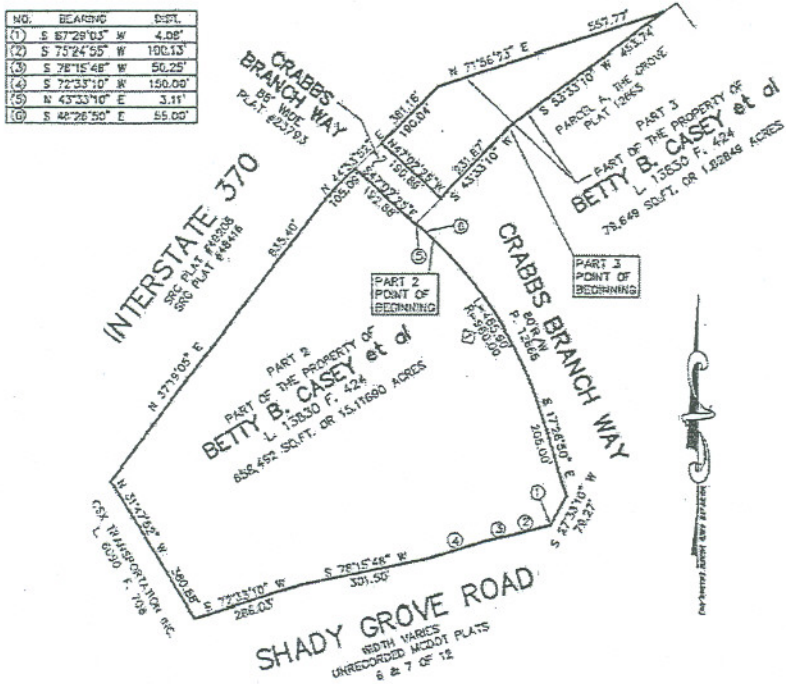


Casey 6

PLAT

NO.	RADIUS	LENGTH	TANGENT	CHORD BEARING	DISTANCE	DELTA
(1)	950.00'	485.90'	248.27'	S 31° 56' 50" E	480.73'	28° 00' 00"

NO.	BEARING	DIST.
(1)	S 87°28'03" W	4.08'
(2)	S 75°24'55" W	100.13'
(3)	S 78°15'48" W	50.25'
(4)	S 72°33'10" W	150.00'
(5)	N 43°33'10" E	3.11'
(6)	S 42°26'50" E	55.00'



SKETCH SHOWING A
PORTION OF THE PROPERTY OF
BETTY B. CASEY et al
L. 13830 F. 424
9TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
SCALE: 1" = 250' JUNE, 2008
G:\PROJECTS\6620\DWG\6620701.DWG

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Casey 7

Resolution No. _____

Introduced: _____

Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: To amend Resolution No. 16-676 of the County Council for Montgomery County, Maryland, adopted on July 29, 2008 regarding the issuance of revenue bonds, to add authority to borrow an additional \$60 million in order to finance or refinance the costs of (a) certain facilities for the Department of Liquor Control and (b) certain transportation projects; and, except as amended hereby, fully ratifying and confirming Resolution No. 16-676.

Background

1. Resolution No. 16-676, adopted by the County Council for Montgomery County, Maryland (the "County Council") on July 29, 2008, authorized Montgomery County, Maryland (the "County") to issue its revenue bonds (the "Bonds"), in a principal amount not to exceed Seventy-Eight Million Dollars (\$78,000,000). The Bonds are to be issued pursuant to and in accordance with Sections 5(P)(2) and 5(P)(3) of Article 25A of the Annotated Code of Maryland (2005 Replacement Volume and 2007 Supplement) and Sections 20-47 through 20-54 of Chapter 20 of the Montgomery County Code (2004 Edition, as amended), to finance and refinance the costs of certain capital projects for the Montgomery County Department of Liquor Control (the "Department") and certain transportation projects, all as more fully described in Resolution No. 16-676.

2. The County has determined that it is advisable and in the public interest to (a) relocate the existing warehouse and support functions of the Department on Crabbs Branch Way, as more fully described on Exhibit A attached hereto (the "DLC Warehouse Project"), and (b) participate in the funding of a transportation project relating to the Bethesda Metro Station, as previously approved as Project #500929, as further described in the County's Approved FY09-14 Capital Improvements Program (the "Bethesda Metro Station South Entrance Project").

3. The County has determined that it is advisable and in the public interest to add the DLC Warehouse Project and the Bethesda Metro Station South Entrance Project to the list of projects that may be financed and refinanced with the proceeds of the Bonds.

4. The County has determined that financing and refinancing the DLC Warehouse Project and the Bethesda Metro Station South Entrance Project will require the issuance of Bonds in a principal amount not to exceed Sixty Million Dollars (\$60,000,000), in addition to the amount authorized to be issued by Resolution No. 16-676.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

Section 1. The County hereby finds and determines that:

- a. The DLC Warehouse Project is a "project" within the meaning of the Revenue Bond Act.
- b. The Bethesda Metro Station South Entrance Project is a "project" within the meaning of the Revenue Bond Act.
- c. It is advisable and in the public interest to complete the DLC Warehouse Project and the Bethesda Metro Station South Entrance Project.
- d. It is advisable and in the public interest to finance or refinance the costs of the DLC Warehouse Project and the Bethesda Metro Station South Entrance Project through the issuance, sale and delivery of the Bonds.

Section 2. Resolution No. 16-676 is hereby amended as follows:

1. As used in Resolution No. 16-676, the term "Projects" shall include the DLC Warehouse Project and the Bethesda Metro Station South Entrance Project.

2. Section 2 of Resolution No. 16-676 is deleted in its entirety and the following is substituted in its place: "The County hereby authorizes the issuance, sale and delivery of the Bonds in a principal amount not to exceed One Hundred Thirty-Eight Million Dollars (\$138,000,000). The Bonds shall be issued and sold in accordance with the provisions of the Revenue Bond Act."

3. Section 7 of Resolution No. 16-676 is deleted in its entirety and the following is substituted in its place: "It is hereby acknowledged that the Bonds may be issued initially in either a fixed or variable interest rate mode. It is hereby further acknowledged that it may be in the best interests of the County at some future date to convert the Bonds from a variable interest rate to a fixed interest rate. To accommodate such conversion, the County hereby authorizes the issuance, sale and delivery of additional bonds (the "Additional Bonds") for the sole and exclusive purpose of refinancing the Bonds; provided, that in no event shall the aggregate principal amount of Bonds and Additional Bonds outstanding at any one time exceed One Hundred Thirty-

Eight Million Dollars (\$138,000,000). The Additional Bonds shall be issued and sold in accordance with the provisions of the Revenue Bond Act and of this Resolution, as if such Additional Bonds were Bonds.”

Section 3. Except as specifically amended by this Resolution, Resolution No. 16-676 is hereby fully ratified and confirmed.

Section 4. This Resolution shall take effect upon its adoption.

Date_____

Michael J. Knapp, President
Montgomery County Council

This is a correct copy of Council action.

Linda M. Lauer
Clerk of the Council

EXHIBIT A

DLC Warehouse Project

This project is part of the Smart Growth Initiative, CIP No. 360902, and provides for the land, and planning and design of the relocation of the existing Liquor Control warehouse located on Crabbs Branch Way, into the 200,000 square foot Finmarc building on Shady Grove Road in Gaithersburg,

The project provides for the consolidation of all Department of Liquor Control functions including all administrative functions, liquor and wine, and packaged beer storage space.

The Shady Grove Sector Plan identified County owned properties on the east and west side of Crabbs Branch Way, including the current Department of Liquor Control warehouse for future transit oriented development. Relocation of the current warehouse is also necessary to implement the County Executive's Smart Growth Initiative. The Department of Liquor Control needs a larger warehouse with air-conditioned space.

SMART GROWTH INITIATIVE PROGRAM FINANCING SUMMARY

Item #	G.O. BONDS	Project Number	SOURCE OF FUNDS			Project Number	USE OF FUNDS		
	Project		FY09	FY10	Total		FY09	FY10	Total
	NEW PROJECTS								
1	Smart Growth Initiative - Facility Planning (MCPS Bus Depot, M-NCPPC Maintenance Facility and Montgomery County Radio Shop)		0	0	0	360902	681	0	681
2	Public Safety HQ & 1st District Police Station (GE Tech Park site)		0	0	0	470906	1,274	400	1,674
3	Public Safety Training Campus (Webb Tract)		0	0	0	470905	2,191	4,048	6,239
4	MCPS Food Distribution Facility (Webb Tract)		0	0	0	360900	669	223	892
5	EMOC (Casey 6 and 7)		0	0	0	500933	3,173	3,908	7,081
5	EMOC (Interim Financing)		0	0	0	500933	0	30,000	30,000
	EXISTING PROJECTS (Pending Closeout)								
6	PSTA Academic Building Complex	479909	(6,078)	(7,527)	(13,605)		0	0	0
7	EMOC	500433	(1,913)	(1,049)	(2,962)		0	0	0
8	1st District Police Station . Station will be built as part of the Public Safety HQ project (No. 470906) (Note: 1)	470703	0	0	0		0	0	0
	Total Uses		(7,991)	(8,576)	(16,567)		7,988	38,579	46,567

Item #	REVENUE BONDS: LIQUOR FUND	Project Number	SOURCE OF FUNDS			Project Number	USE OF FUNDS		
	Project		FY09	FY10	Total		FY09	FY10	Total
9	DLC Liquor Warehouse		0	0	0	850900	25,335	1,103	26,438
10	Temperature Controlled Liquor Warehouse (Note 2)	850500	0	0	0		0	0	0
	Total Uses		0	0	0		25,335	1,103	26,438

Notes

- 1st District Police Station (No 470703) releases \$491K and \$773K to FY11 and FY12 set-aside respectively.
- Short-term Financing of \$6.572 million programmed on the PDF was not issued.
- All new projects programmed to the construction documents phase except for the Food Distribution Facility to the design development phase.
- Discussions to be held with Council staff on utilization of approximately \$9 million unused GO bonds in the PSTA project which is to be closed out.